1950

File No. L.R.C. (B) 50 (N) pt. I

Legal Dept

B **BRANCH**

Subject:— Notifications under the Bombay Land Revenue Code 1879

(For subsequent papers, pl. see pt. II)

File No. L.R.C. Bom. II/50 pt. I (N)

Gen. 194 e.

40-B

Legal Department.

A revised draft notification is sent herewith.

Sd/-
22/2

S.O.

Additional Secretary to Government.

U.O. to R.D. No.3650, dated the 23rd February 1950.

Submitted for signature.

The draft as modified in is for approval.

Addl Secy

Sd/-
19.6

NOTIFICATION.

Revenue Department,

Bombay Castle, February 1950

Bombay Land Revenue Code, 1879.

No.

No. Whereas section 135B of the Bombay Land Revenue Code, 1879 (Bom. V of 1879) applies to perpetual tenancies in the areas to which Chapter X A of the said Code applies;

And Whereas sub-section (2) of the said section 135 B empowers the Provincial Government to direct that the provisions of this section shall apply to tenancies of any other class es in any local area or generally;

Now, therefore, in exercise of the powers conferred by the said sub-section (2) of se section 135 B of the said Code, the Government of Bombay is pleased to direct that the provisions of the said section 135 B shall apply to all tenancies in respect of lands within the meaning of the Bombay Tenancy and Agricultural Lands Act, 1948, (Bom. LXVII of 1948) other than perpetual tenancies.

By order of the Governor of Bombay,

Secretary to Government.

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Legal Department.

Two revised draft notifications in place of th R.D.draft at p. 27 ante are sent herewith.

2. It would not be proper to declare in the same notification under which 14 villages are being transferred to the B.S.D. that the village of Gaon Maroshi constituted by section 4A(c) of the said Bill shall form part of the Thana District. The village Maroshi would not be legally constituted until the Act by which it was constituted comes into force. The State Government is to specify under section 1(2) of the Act on what date the Act shall come into force. The second notification regarding Maroshi village should issue on the day on which the Act comes into force.

3. The notifications should issue in consultation with the L.&.C. and P.H.D.

16/3

Additional Secretary to Govern

U.R.to R.D. , No. 3701 , dated the 1st March 1950.

Sixth R.D. Files (114206/33III
(ii) 4296 /33 VI
(iii) Part.

Issued

Submitted for signature.

MM

SC

Legal Department.

In the first Bill No. III of 1950 it has been provided that 14 villages of the Bombay Suburban District will be under the jurisdiction of the Corporation of Bombay. In the second Bill No. IV of 1950 it has ben provided that 14 villages of Bombay Suburban District will form part of Greater Bombay. Both the Act should be brought into force simultaneously. The proposed notification transferring 14 villages from Thana District to Bombay Suburban Disctri ct should therefore be issue some days prior to the commencement of the two Acts as in the Acts it is assumed that the 14 villages will stand transferred to Bombay Suburban District by the time the Acts come into force.

2. There is one more point which the L.S.C. & P.W.Deptt. will have to settle with the Revenue Department. Section 88(1) of the Bombay Tenancy and Agricultural Lands Act, 1948, provides that nothing in that Act applies to any area within the limits of Greater Bombay. As soon as the two Acts referred to above come into force, the limits of Greater Bombay will be extended and certain areas to which the Bombay Tenancy and Agricultural lands Act at present applies and under which certain tenants are receiving benefits of that Act will cease to enjoy those benefits. It seems desirable that some of these cultivators should continue to enjoy these benefits. It will be necessary to issue a notification under section 88(2) of the Bombay Tenancy and Agricultural Lands Act excluding the lands of

Agricultural Lands Act ---- Contd,

excluding the lands of these cultivators

from the exemption under section 88(1).

A draft notification for the purpose is appended.

24/3

Additional Secretary to Government.

Submitted for signature.

R.S.G.A P.H.D. No. 4165 of 25-2-50.

Mr.
DC.

NOTIFICATION.

Revenue Department,

Bombay Castle, March 1950.

Bombay Tenancy and Agricultural Lands Act, 1948-

No. .- In exercise of the powers conferred by sub-section (2) of section 88 of the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. LXVII of 1948), the Government of Bombay is pleased to direct that notwithstanding anything contained in sub-clause (e) of sub-section(1) of section 88 of the said Act, lands situate in the villages specified in the Schedule appended hereto shall not be exempt from any provisions of the the said Act.

SCHEDULE.

Here enter 14 villages of B.S.D.

By order of the Governor of Bombay.

Secretary to Government.

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Legal Department.

A revised draft notification is sent herewith.

s/c 17/4

Additional Secretary to Government
Legal Department.

U.R. TO R.D.No 5346 dated 18th April 1950

Submitted for signature.

NOTIFICATION.

Revenue Department,

Bombay Castle, 1950.

Bombay Land Revenue Code, 1879.

No. :- In exercise of the powers conferred by sections 18 and 19 of the Bombay Land Revenue Code, 1879(Bom. V of 1879), the Government of Bombay is pleased to confer on Mr. B.R.Mhamaj all the powers and duties of a Survey Settlement Officer for the purpose of introduction of settlement in the villages specified in the Schedule appended hereto.

SCHEDULE.

(To be filledin by R.D.)

By order of the Governor of Bombay,

Secretary to Government.

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Legal Department.

Attention is invited to R.D.A.'s opinion No. 548 dated 15th January 1940, which has been followed in R.L.A's recent opinion No. 1[illegible] dated 19th November 1949. The question whether Government can transfer land from one village to another under section 7 or 126 of the Bombay Land Revenue Code, 1879, or create an new village out of a portion of an existing village is not entirely free from doubt. The strict legal position, however, appears to be as stated in the R.L.A.'s opinions referred to above. It seems, however, that the practice followed is to form hamlets into separate villages and Government may follow that practice until it is challenged. The question about the competence of Government to alter or add to the boundaries of village or to constitut new villages will be set at rest when the bill forwarded to Revenue Department under this of office U.R. No. 2985 dated 2nd March 1950 is passed into law.

o/c 12/4

Additional Secretary to Government,

Legal Department.

U.R. to R.D. No. 4984 dated 12th April 1950.

Subd for singnatur

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Legal Department.

A revised draft notification is sent herewith.

2. Since Government is fixing the revised standard rates the existing rates shouldbe cancelled by supersedi the notification by which they were fixed. The revised draft provides accordingly.

5/6

Additional Secretary to Government.

U.R. to R.D. No. 7819 dated 6th June 1930.

Submitted for signature.

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SC.

NOTIFICATION.

Revenue Department,

Bombay Castle, 1950.

Land Revenue Rules (1921).

No. In exercise of the powers conferred by rule 82 of the Land Revenue Rules (1921) and in supersession of Government Notification in the Revenue Department No. 2375(a), dated the 1st August 1934, the Government of Bombay is pleased to sanction the following standard rates of non-agricultural assessment in respect of the lands in the areas mentioned in the Schedule hereto appended in the town of Belapur Road in the Ahmednagar District.

SCHEDULE.

(Here insert A-A at pages 43-45 ante)

Notice is hereby given that the said rates shall come into force with effect from and on the 1st August 1951 and shall remain in force for ten years.

The coloured maps showing what particular area falls in any

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SC.

Contd.

particulars some will be available for inspection at the office of the Mamlatdar of Belapur Road, at any time during office hours

By order of the Governor of Bombay,

Secretary to Government.

[redacted]

dt, 14-6-'58.

Legal Department.

The draft notification at page 83 ante, as amended, is in order. In the Revenue Department draft the jurisdiction of the Consolidation Officer Poona, has been given as Poona and Satara North districts and the villages of the old Tasgaon, W Walwa and Khanapur talukas and Shirala peta of the Satara district now included in the Satara North district. The villages of the old Tasgaon, Walwa and Khanapur Talukas and Shirala peta of the Satara district have been included in the Satara South district and not in the Satara North district as mentioned by the Revenue Department (vide G.N., P.W.D., No. 2755/46-F, dated 29th July 1949). The Revenue Department however should verify.

8/7

Additional Secretary to Government.

U.R.to R.D., No. 515-Confl. dated the 10th July 195

Submitted for signature.

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SC.

Legal Department.

In place of the Revenue Department draft a revised draft Order is sent herewith.

2. Under Political and Services Department Notification No. 2855/46F, dated the 29th July 1949 issued under section 7 of the Bombay Land Revenue Code, various districts were reconstituted by integrating with them the States Areas. That notification appears to have been amended further. Now it is proposed again to reconstitute the districts for the reasons stated by R.D. In view of all these notifications, R.D should consider later on after this notification is issued (which is required to be issued urgently) whether one self-contained notification defining the areas of the districts in the State of Bombay is not desirable.

s/s. 24/8

Additional Secretary to Government.

U.R. to R.D. No. 12132 , dated the 25th August 1950.

Submitted for signature.

Addl. Secy.

SC.